

City Council Introduction: **Monday**, April 7, 2003  
Public Hearing: **Monday**, April 14, 2003, at **1:30 p.m.**

Bill No. 03-56

## **FACTSHEET**

**TITLE:** **ALLEY VACATION NO. 03000**, requested by Gary and Carolyn Christensen and Delisi Brothers, Inc., to vacate West M Street from the west line of South Coddington Avenue to its termination, approximately 300' west.

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan, with conditions of approval.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 02/19/03  
Administrative Action: 02/19/03

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan, with conditions of approval (6-0: Carlson, Duvall, Newman, Schwinn, Bills-Strand and Taylor voting 'yes'; Krieser, Larson and Steward absent).

### **FINDINGS OF FACT:**

1. The staff recommendation to find the proposed street vacation to be in conformance with the 2025 Lincoln City-Lancaster County Comprehensive Plan is based upon the "Analysis" as set forth on p.3, concluding that the property adjacent to West M Street and the West M Street right-of-way are included in the preliminary plat of G&C Addition. Access to the lots in this plat is provided by both the new street shown on the plat or to South Coddington Avenue. With this layout, West M Street no longer serves any purpose. This vacation will not diminish access in the area, and will allow the right-of-way to be combined with adjacent land and developed.
2. On February 19, 2003, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 6-0 to find the proposal to be in conformance with the Comprehensive Plan.
4. The requirement of Condition #1.2 that the abutting owners submit a final plat has been satisfied, and the City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been met.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** March 31, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** March 31, 2003

**REFERENCE NUMBER:** FS\CC\2003\SAV.03000

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Street and Alley Vacation #03000

**DATE:** February 5, 2003

**SCHEDULED PLANNING COMMISSION MEETING:** February 19, 2003

**PROPOSAL:** To vacate West M Street from the west line of South Coddington Avenue to its termination, approximately 300' west.

**LAND AREA:** 14,914 square feet, more or less.

**CONCLUSION:** The property adjacent to West M Street and the West M Street right-of-way are included in the preliminary plat of G&C Addition. Access to the lots in this plat is provided by both the new street shown on the plat or to South Coddington Avenue. With this layout West M Street no longer serves any purpose. This vacation will not diminish access in the area, and will allow the right-of-way to be combined with adjacent land and developed.

<b><u>RECOMMENDATION:</u></b>	Conforms to the Comprehensive Plan
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** West M Street from the west line of South Coddington Avenue to its termination, approximately 300' west.

**LOCATION:** West M Street and South Coddington Avenue.

### **APPLICANTS/**

<b><u>CONTACTS:</u></b>	Gary and Carolyn Christensen 6830 Shadow Ridge Road Lincoln, NE 68512	Delisi Brothers, Inc. 3500 West A Street Lincoln, NE 68522
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### **SURROUNDING LAND USE AND ZONING:**

North:	Commercial	H-3
South:	Vacant	I-1
East:	Commercial	H-3, I-1
West:	Vacant	H-3, I-1

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

Page F25 - The Comprehensive Plan designates this area for future commercial and industrial land uses.

Page F87 - A Balanced Transportation System. Transportation planning in Lincoln will be guided by the principle of balancing needs and expectations. It will recognize that transportation is a means to the goal of a unified, liveable, and economically strong community, and not an end in itself. Thus, the system will effectively move people and goods around the community, while minimizing impacts on established neighborhoods and investments.

**HISTORY:** This request is associated with the preliminary plat of G&C Addition, a plat that was approved by the Planning Commission on January 8, 2003. That plat showed the West M Street right-of-way vacated and combined into new lots. This request proposes to vacate West M Street to accommodate the lot layout of the preliminary plat.

**ANALYSIS:**

1. West M Street in this area exists in right-of-way only, as the street has never been constructed.
2. The existing lots adjacent to this portion of West M Street are to be re-platted as part of G&C Addition. In that plat, all lots either have frontage to streets internal to the development or to South Coddington Avenue, and West M Street no longer serves any purpose.
3. If approved, the vacated right-of-way can be combined with adjacent lands and put to productive use.
4. New right-of-way is to be dedicated with G&C Addition that is of equal or greater value than that being vacated. As a result, the City's Real Estate Division is recommending the vacated right-of-way be deeded at no cost to the adjacent owners.
5. There are no existing utilities in the subject right-of-way, so easements will not need to be retained. Permanent easements for utilities to serve this area will be established with final plats in G&C Addition.
6. In their review Public Works and Utilities recommends that approval of this vacation be subject to the approval of a final plat. It should be noted that the timing of those approvals will be coordinated so that the deed transferring property does not occur until a final plat is ready for Planning Commission consideration.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITYCOUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 The abutting owners must submit a final plat that will create lots that front on and have access to public streets or private roadways and all requirements of the final plat have been completed except the transfer of ownership of the vacated street to the subdividers.

Prepared by:

Brian Will  
Planner

## STREET VACATION NO. 03000

**CONSENT AGENDA**  
**PUBLIC HEARING & ADMINISTRATIVE ACTION**  
**BEFORE PLANNING COMMISSION:**

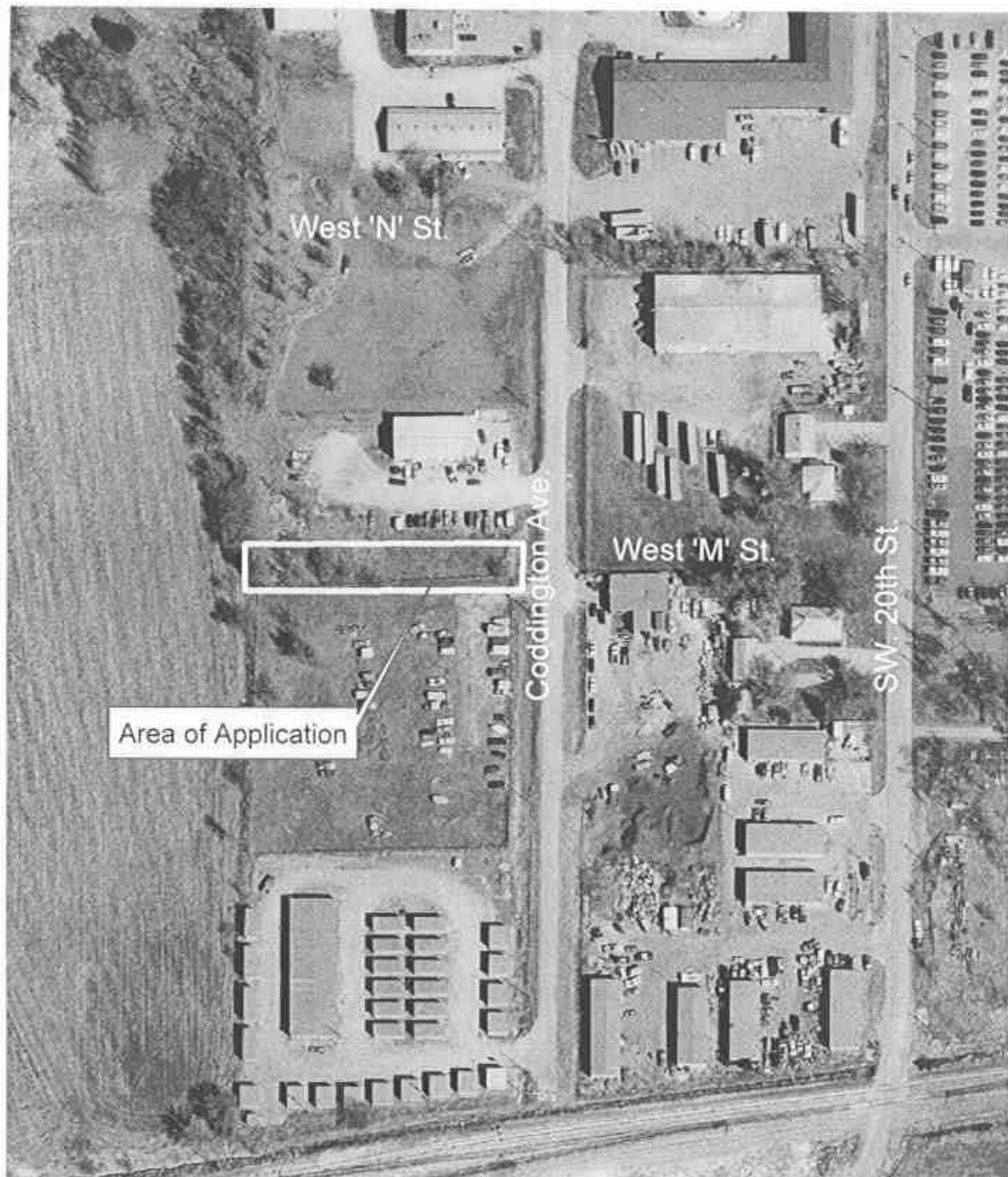
February 19, 2003

Members present: Newman, Carlson, Taylor, Bills-Strand, Duvall and Schwinn; Krieser, Larson and Steward absent.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 2001 and STREET AND ALLEY VACATION NO. 03000.**

Schwinn acknowledged that Chuck Salem had called him and apologized for not being able to attend today's hearing.

Carlson moved to approve the Consent Agenda, seconded by Taylor and carried 6-0: Carlson, Duvall, Newman, Schwinn, Bills-Strand and Taylor voting 'yes'; Krieser, Larson and Steward absent.

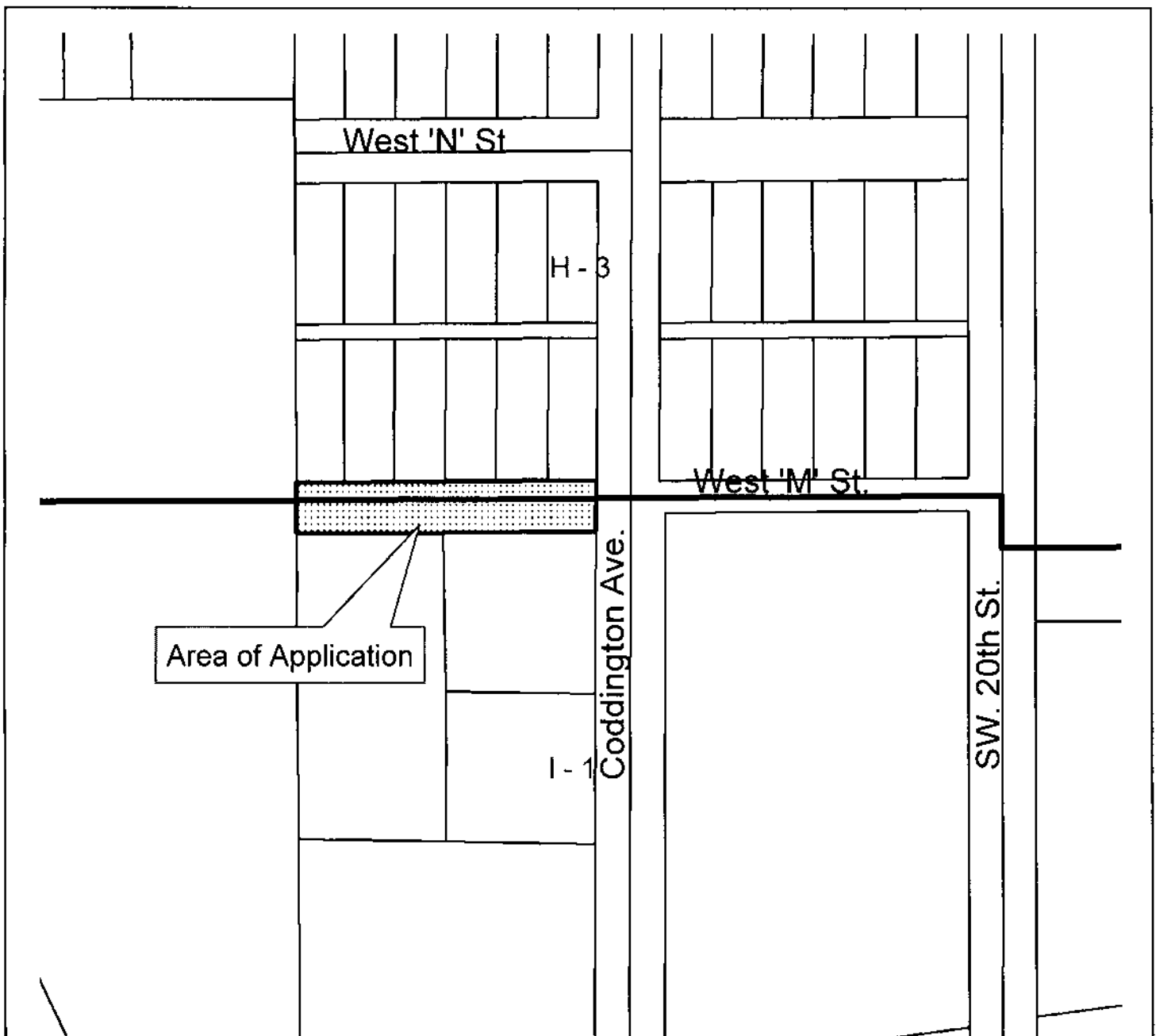


**Street & Alley Vacation #03000**  
**S. Coddington & West 'M' St.**



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Lincoln City - Lancaster County Planning Dept.  
 1997 aerial

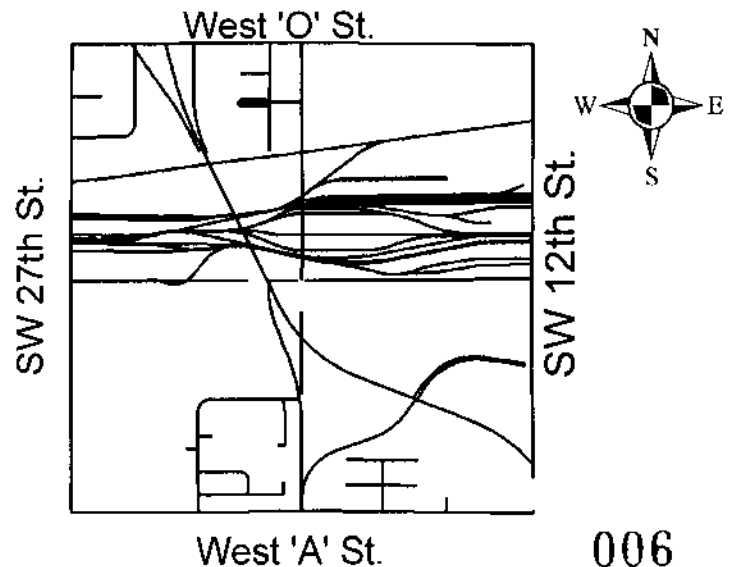
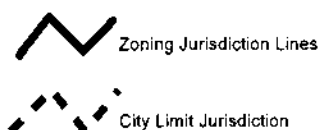


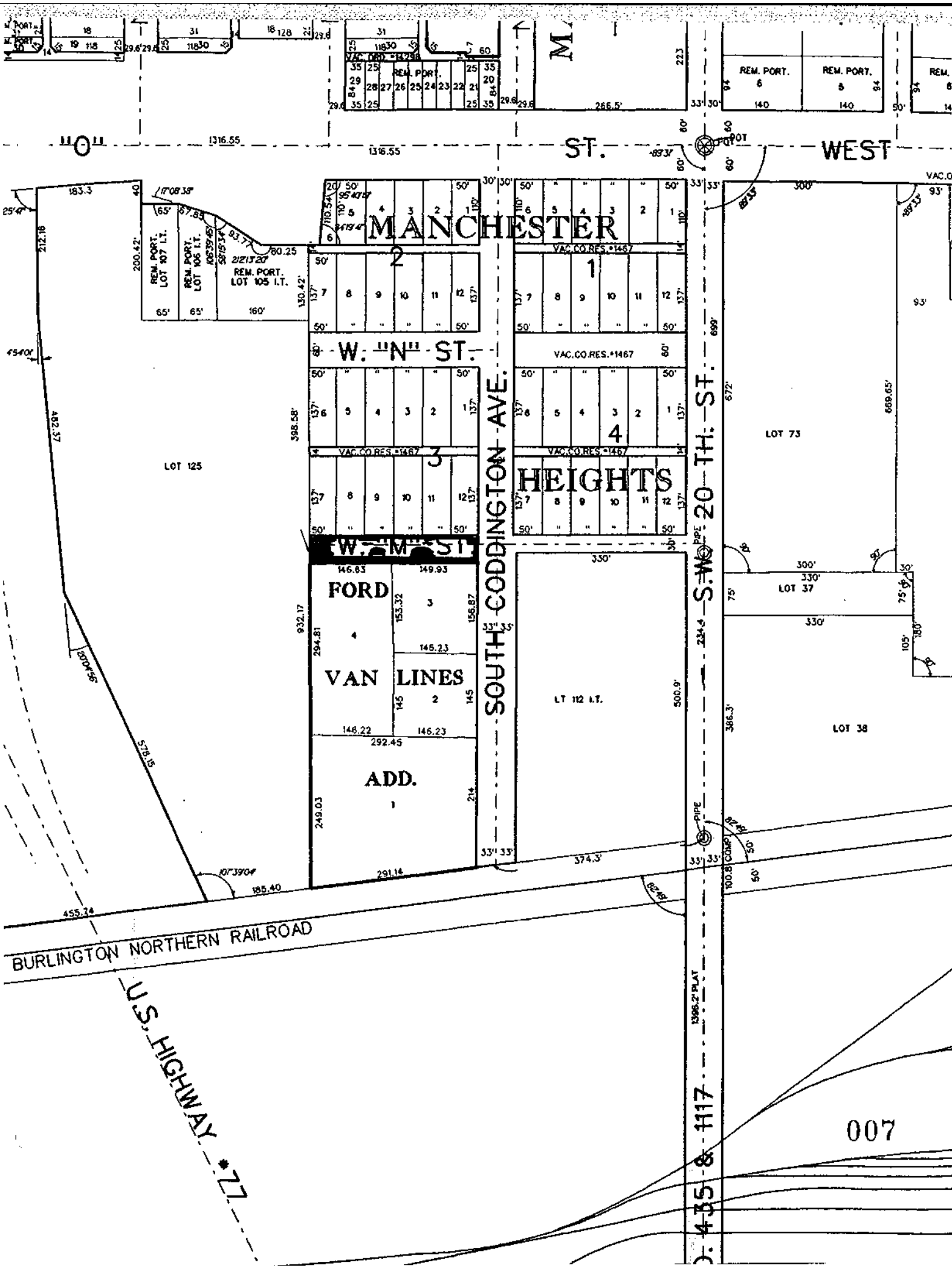
## Street & Alley Vacation #03000 S. Coddington & West 'M' St.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 28 T10N R6E





# Lincoln



# Nebraska's Capital City

January 14, 2003

Lincoln City/Lancaster County  
Planning Commission  
Lincoln, NE 68508

RE: Vacation of West "M" Street from the West Line of South Coddington Avenue to its Termination, Approximately 300' West.

Dear Ladies and Gentlemen:

The Public Works and Utilities Department has received a petition from Sam Delisi and Gary and Carolyn Christensen, owners of Lots 7 through 12, Block 3 Manchester Heights Addition and Lots 3 and 4, Ford Van Lines Addition, to vacate the above described public right-of-way. Petitioners request this vacation to accommodate the proposed G & C Preliminary Plat.

There are no existing utilities in the area for vacation. Permanent easements will be established with the creation of the new plat.

The Department of Public Works recommends approval of this vacation subject to the approval of the G & C Final plat. This vacation contains an area of 14,914 square feet, more or less.

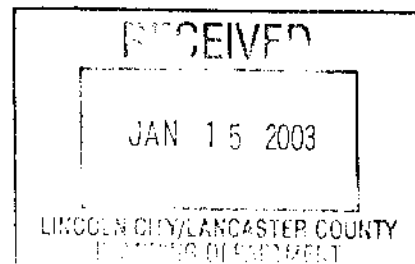
Sincerely,



Byron Blum  
Engineering Services

cc: Mayor Wesely  
Allan Abbott  
Marvin Krout  
~~Marc Wullschlegel~~  
Roger Figard  
Nicole Fleck-Tooze  
Joan Ross  
Clint Thomas  
Dana Roper

West M Vac Ltr tdm wpd





SAV. 03000

## INTEROFFICE MEMORANDUM

TO: Mayor Wesely  
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: January 29, 2003

COPIES TO: Joan Ross  
Marvin Krout  
Dana Roper  
Byron Blum

SUBJECT: Vacation of West M Street from west  
line of South Coddington Avenue  
west 300 feet

A request has been made to vacate West M Street from South Coddington Avenue to its termination approximately 300 feet west of South Coddington. The street is located 2 blocks south of West O Street going west from South Coddington. The area was viewed and appeared to be an open field. It was somewhat difficult to determine precisely where the street right-of-way is located. Some construction-type activity is occurring on the adjoining property as some grading has been accomplished and rubble has been piled on the property.

Public Works has indicated the vacation is being requested to accommodate a proposed, preliminary plat. They have also stated no existing utilities are located within the area to be vacated and permanent easements or new right-of-way will be required as part of the creation of the new plat.

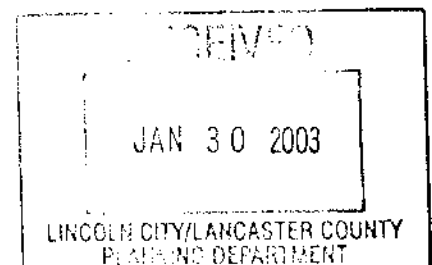
After reviewing the proposed plat and comparing it to the existing street right-of-way, it appears a new street is being dedicated slightly south of the existing right-of-way. Since the new right-of-way being dedicated is equal to or greater in area than that which is being vacated it is considered to offset the value of the street being vacated. Therefore, it is recommended, if the area be vacated it be deeded to the abutting property owner at no cost with the understanding that the area will be replatted and a new street dedicated in the approved final plat.

Respectfully submitted,



Clinton W. Thomas  
Certified General Appraiser #990023

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